

PTO/SB/21 (07-06)

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| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> |   | Application Number     | 10/586,060                                 |
|   |   | Filing Date            | July 14, 2006                              |
|   |   | First Named Inventor   | Johann Schreyer                            |
|   |   | Art Unit               | <del>1111</del> 3761                       |
|   |   | Examiner Name          | <del>Not Yet Assigned</del> /Ilya Treyger/ |
| Total Number of Pages in This Submission  | 5 | Attorney Docket Number | H0075.70113US00                            |

## ENCLOSURES (Check all that apply)

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Cited Foreign References (3)<br>Return Receipt Postcard<br>International Search Report |
| Remarks  |  |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                                |          |        |
|--------------|--------------------------------|----------|--------|
| Firm Name    | WOLF, GREENFIELD & SACKS, P.C. |          |        |
| Signature    |                                |          |        |
| Printed name | James M. Hanifin, Jr.          |          |        |
| Date         | September 14, 2006             | Reg. No. | 39,213 |

## Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 14, 2006

Signature: (Rita A. LeBlanc)



DOCKET NO.: H0075.70113US00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schreyer et al.  
Serial No.: 10/586060  
Confirmation No.: Unknown  
Filed: July 14, 2006  
For: AUTOMATIC AIR REMOVAL SYSTEM

Examiner: ~~Unknown~~ /Ilya Treyger/  
Art Unit: ~~Unknown~~ 3761

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the \_\_\_\_\_ day of September, 2006.

  
Rita A. LeBlanc

## MAIL STOP AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the date of the entry of the national stage, as set forth in 37 C.F.R. §1.491, in an international application.

No fee or certification is required.

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Conf. No.: Unknown

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Art Unit: Unknown

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the enclosed International Search Report mailed May 10, 2005, for corresponding International Application PCT/EP2005/000536.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The International Search Report for corresponding International Application No. PCT/EP2005/000536 indicates that the International Searching Authority considered EP 1 374 929 to be of particular relevance, taken either alone or together with one or more references (Categories X and Y), to claims 7-11 of the International Application, which correspond to claims 7-11 of the present application.

Enclosed also is an English language abstract of EP 1 374 929 obtained from the esp@ce database.

The following are remarks concerning the other information cited.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

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Conf. No.: Unknown

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Art Unit: Unknown

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

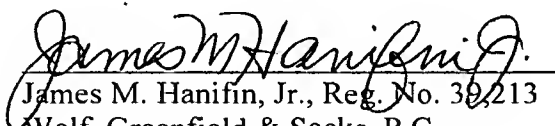
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

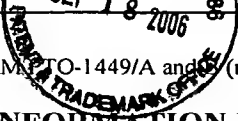
An early and favorable action is hereby requested.

Respectfully submitted,

By:

  
James M. Hanifin, Jr., Reg. No. 39,213  
Wolf, Greenfield & Sacks, P.C.  
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Boston, Massachusetts 02210-2206  
617.646.8000

September 14, 2006  
xNDDx

|  |   |    |   |   |  |                                   |  |
|--|---|----|---|---|--|-----------------------------------|--|
| <br>FORM PTO-1449/A and (modified PTO/SB/08)<br><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> |   |    |   | APPLICATION NO.: 10/586060              |  | ATTY. DOCKET NO.: H0075.70113US00 |  |
|  |   |    |   | FILING DATE: July 14, 2006              |  | CONFIRMATION NO.: Unknown         |  |
|  |   |    |   | APPLICANT: Schreyer et al.              |  |                                   |  |
|  |   |    |   | GROUP ART UNIT: <del>Unknown</del> 3761 |  | EXAMINER: Ilya Treyger            |  |
| Sheet  | 1 | of | 1 |   |  |                                   |  |

## U.S. PATENT DOCUMENTS

| Examiner's Initials # | Cite No. | U.S. Patent Document |           | Name of Patentee or Applicant of Cited Document | Date of Publication or Issue of Cited Document MM-DD-YYYY |
|-----------------------|----------|----------------------|-----------|---|---|
|                       |          | Number               | Kind Code |   |   |
| /I.T./                |          | 3507395              |           | BENTLEY   | 04/21/1970  |
|                       |          | 4490331              |           | STEG  | 12/25/1984  |
|                       |          | 4643713              |           | Viitala   | 02-17-1987  |
|                       |          | 5055198              |           | SHETTIGAR                                       | 10/08/1991  |
|                       |          | 5158533              |           | STRAUSS et al.                                  | 10/27/1992  |
|                       |          | 5162102              |           | NOGAWA et al.                                   | 11/10/1992  |
|                       |          | 5205153              |           | HLAVINKA et al.                                 | 04/27/1993  |
|                       |          | 5270005              |           | RAIBLE  | 12/14/1993  |
|                       |          | 5876611              |           | SHETTIGAR                                       | 03/02/1999  |
|                       |          | 6302860              | B1        | GREMEL et al.                                   | 10/16/2001  |
|                       |          | 6337049              | B1        | TAMARI  | 01/08/2002  |
|                       |          | 6632189              | B1        | FALLEN et al.                                   | 10/14/2003  |
| /I.T./                |          | 6524267              | B1        | GREMEL et al.                                   | 02/25/2003  |

## FOREIGN PATENT DOCUMENTS

| Examiner's Initials # | Cite No. | Foreign Patent Document |         |           | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Translation (Y/N) |
|-----------------------|----------|-------------------------|---------|-----------|---|--|-------------------|
|                       |          | Office/Country          | Number  | Kind Code |   |  |                   |
| /I.T./                |          | EP                      | 1203592 | A2        | Convergenza AG                                  | 05-08-2002                                       |                   |
| /I.T./                |          | EP                      | 1374929 | A1        | Jostra AG                                       | 01-02-2004                                       | Abstract          |
| /I.T./                |          | EP                      | 1086712 | A2        | MEDTRONIC, INC.                                 | 03/28/2001                                       |                   |

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials # | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|-----------------------|---------|---|-------------------|
|                       |         | Search Report for International Application No. PCT/EP2005/000536, mailing date of May 10, 2005.  |                   |

|           |                |                  |            |
|-----------|----------------|------------------|------------|
| EXAMINER: | /Ilya Treyger/ | DATE CONSIDERED: | 05/13/2008 |
|-----------|----------------|------------------|------------|

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]